

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:06CR288
)	
vs.)	ORDER TO RETURN
)	PROPERTY AND FINAL ORDER
)	OF FORFEITURE
CORY RICHARDS,)	
)	
Defendant.)	

This matter is before the Court on the United States' Motion for Final Order of Forfeiture, Return of Property and Memorandum Brief (Filing No. 153). The Court reviews the record in this case and, being duly advised in the premises, find as follows:

1. On February 20, 2007, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 21, United States Code, Section 846 and 853, Title 18, United States Code, Section 924(d) and Title 28, United States Code, 2461(c), based upon the Defendant's plea of guilty to Counts I, VIII and IX of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in a Lorcin Model 380 handgun, serial number 42646, and \$1,182.00 in United States currency was forfeited to the United States.

2. On March 16, 23 and 30, 2007, the United States published in a newspaper of general circulation notice of this forfeiture and of the intent of the United States to dispose of the properties in accordance with the law, and further notifying all third parties of their right to petition the Court within the stated period of time for a hearing to adjudicate the validity of their alleged legal interest(s) in said properties. An Affidavit of Publication was filed herein on May 4, 2007 (Filing No. 152).

3. The Court has been advised by the United States no Petitions have been filed in response to the publication. From a review of the Court file, the Court finds no Petitions have been filed.

4. The United States Marshals Service currently has custody of an additional \$455.00 seized from Cory Richards. The United States cannot proceed with the forfeiture of this additional currency. Therefore, \$455.00 should be returned to the Defendant, Cory Richards, through the trust account of his attorney, James R. Kozel.

IT IS ORDERED:

A. The Plaintiff's Motion for Final Order of Forfeiture and Return Property (Filing No. 153) is hereby sustained.

B. All right, title and interest in a Lorcin Model 380 handgun, serial number 42646, and \$1,182.00 in United States currency held by any person or entity, are hereby forever barred and foreclosed.

C. The Lorcin Model 380 handgun, serial number 42646, and \$1,182.00 in United States currency, be, and the same hereby are, forfeited to the United States of America . The United States Marshal for the District of Nebraska is directed to dispose of said properties in accordance with law.

D. The United States Marshal for the District of Nebraska shall return \$455.00 to the Defendant, Cory Richards, by delivering the same to the trust account of his attorney, James R. Kozel.

DATED this 14th day of May, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge